

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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WAYNE ZYCH, MICHAEL CURRENCE  
AND WHEMPNER BROTHERS,

Civil File No. CV-05-2623  
(PAM/RLE)

Plaintiffs,

vs.

**ORDER OF DISMISSAL**

GFI AMERICA, INC.; NATIONAL BEEF  
PACKING COMPANY, LLC; AND  
CREEKSTONE FARMS PREMIUM BEEF,  
LLC,

Defendants.

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Pursuant to Federal Rule of Civil Procedure 41 and Doc. No. 23, all parties that have appeared in this action have stipulated and agreed pursuant to (i) that Plaintiff Michael Currence's claims against Defendant Creekstone Farms Premium Beef, LLC ("Creekstone") shall be dismissed in their entirety, with prejudice; (ii) that no other party has asserted any claim, cross-claim, or counterclaim in this action against Defendant Creekstone; and (iii) that this dismissal is not an agreement to dismiss any other claims or causes of action against any persons or entities other than Defendant Creekstone.

Now therefore, it is hereby

**ORDERED** that all claims asserted in this action against Defendant Creekstone are dismissed with prejudice; and it is

**FURTHER ORDERED** that Plaintiff Currence and Defendant Creekstone shall bear their own costs, fees, and expenses, including attorney fees.

**SO ORDERED** this 20<sup>th</sup> day of June, 2006.

**BY THE COURT:**

s/Paul A. Magnuson

Paul A. Magnuson, Judge  
United States District Court